IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

FRIDAY, THE 24TH AUGUST 2007 / 2ND BHADRA 1929

CRP.No. 546 of 2003()

SM.1566/1983 of TALUK LAND BOARD, PALAKKAD
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REVN. PETITIONER:

A. GURUSWAMY, S/O. ANTHONY MUTHU,
MANIYAKARAN, CHADYANKALAYI,
PUDUSSERRY WEST, PALGHAT.

BY ADV. SRI.ABRAHAM JOHN

RESPONDENTS:
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1. THE TALUK LAND BOARD,
PALGHAT.

2. STATE OF KERALA, REPRESENTED
BY THE GOVERNMENT PLEADER.

BY ADV.SRI.MATHEW G. VADAKKEL, GOVERNMENT PLEADER

THIS CIVIL REVISION PETITION HAVING BEEN FINALLY HEARD ON 24/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

CRP No. 546 OF 2003

ORDER ON CMP No. 1400 OF 2003 AND ON IA No.1449 OF 2003
IN CRP No. 546 OF 2003

DISMISSED

24.08.2007 SD/- PIUS C. KURIAKOSE, JUDGE.

PIUS C. KURIAKOSE, J.

C.R.P. No. 546 OF 2003

Dated this the 24th day of August, 2007

O R D E R

Having regard to the grounds raised in the Revision Petition and submissions addressed at the Bar by Sri.Abraham John, learned counsel for the petitioner and Sri.Mathew G.Vadakkel, learned Government Pleader, I find some merit in the submissions of the learned counsel for the petitioner that sufficient and effective opportunity has not given to the petitioner for substantiating his objections filed by him to the authorised officer's report by cross examining the authorised officer. On that ground, I set aside the impugned order and direct the Taluk Land Board to take a fresh decision on the objections. The Taluk Land Board shall before taking fresh decision afford an opportunity to the petitioner to cross examine the authorised officer and also to adduce further evidence for substantiating his case as to who is having possession over the properties under dispute. Fresh orders as directed above shall be passed by the Taluk Land Board at the earliest.

PIUS C. KURIAKOSE, JUDGE

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